

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DNA ENCODING A HUMAN MELANIN CONCENTRATING HORMONE RECEPTOR (MCH1) AND USES THEREOF**

the specification of which:  
(check one)

X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Filing Date	Yes	No
PCT/US99/31169	PCT	December 30, 1999	<u>X</u>	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

10059314-122001

*I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:*

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

*I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:*

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/899,732	July 5, 2001	pending
09/610,635	July 5, 2000	pending
PCT/US99/31169	December 30, 1999	pending
09/224,426	December 31, 1998	issued

*And I hereby appoint*

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27, 213); William E. Pelton (Reg. No. 25, 702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33, 970); Robert T. Maldonado ( Reg. No. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33, 515); Pedro C. Fernandez (Reg. No. 41, 741); Gary J. Gershik ( Reg. No. 39,992); Spencer H. Schneider (Reg. No. 45,923); Alan J. Morrison (Reg. No. 37,399); Alan D. Miller (Reg. No. 42,889); and Frank Bruno (Reg. No. 46,583).

*and each of them all c/o Cooper & Dunham, LLP, 1185 Avenue of the Americas, New York, New York 10036. my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.*

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White \_\_\_\_\_ Reg. No. 28,678  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Carlos Forray

Inventor's signature \_\_\_\_\_

Citizenship U.S.A. Date of signature \_\_\_\_\_

Residence 304 Spring Valley Road, Paramus, NJ 07652, U.S.A.

Post Office Address same as residence address

Full name of joint inventor (if any) John A. Salon

Inventor's signature \_\_\_\_\_

Citizenship U.S.A. Date of signature \_\_\_\_\_

Residence 725 E. Virginia Terrace, Santa Paula, CA 93060, U.S.A.

Post Office Address same as residence address

Full name of joint inventor (if any) Thomas A. Laz

Inventor's signature \_\_\_\_\_

Citizenship U.S.A. Date of signature \_\_\_\_\_

Residence 52 Fela Drive, Parlin, NJ 08859, U.S.A.

Post Office Address same as residence address

Declaration and Power of Attorney

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Full name of joint inventor (if any) Raisa Nogorny

Inventor's signature \_\_\_\_\_

Citizenship U.S.A. Date of signature \_\_\_\_\_

Residence 3-31 Cyril Avenue, Fairlawn, NY 07410, U.S.A.

Post Office Address same as residence address

Full name of joint inventor (if any) Amy E. Wilson

Inventor's signature \_\_\_\_\_

Citizenship U.S.A. Date of signature \_\_\_\_\_

Residence 18 Van DeBogart Road, Woodstock, NY 12498, U.S.A.

Post Office Address same as residence address

Full name of joint inventor (if any) \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Citizenship \_\_\_\_\_ Date of signature \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

10029314 120001

Applicant or Patentee: Carlos Forray, et al. Attorney's  
Serial or Patent No.: Not Yet Known Docket No.: 57453-CA  
Filed or Issued: Herewith  
Title of Invention or Patent: DNA ENCODING A HUMAN MELANIN CONCENTRATING  
HORMONE RECEPTOR (MCH1) AND USES THEREOF

VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f)  
AND §1.27(d) - SMALL BUSINESS CONCERN

I hereby declare that I am:

           the owner of the small business concern identified below.

  X   an official of the small business concern empowered to act on behalf of the  
concern identified below:

Name of Concern: Synaptic Pharmaceutical Corporation

Address of Concern: 215 College Road  
Paramus, New Jersey 07652-1431, U.S.A.

I hereby declare that the above identified small business concern qualifies as a  
small business concern as defined in 13 C.F.R. §121.3-18, reproduced in 37 C.F.R.  
§1.9(d), for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(b), in  
that the number of employees of the concern, including those of its affiliates, does  
not exceed five hundred (500) persons. For purposes of this verified statement, the  
number of employees of the business concern is the average number, over the previous  
fiscal year, of the persons employed by the business concern on a full-time,  
part-time, or temporary basis during each pay period of the fiscal year, and  
concerns are affiliates of each other when, either directly or indirectly, one  
concern controls or has power to control the other, or a third party or parties  
controls or has power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain  
with the small business concern identified above with regard to the invention  
entitled

DNA ENCODING A HUMAN MELANIN CONCENTRATING HORMONE RECEPTOR (MCH1) AND  
described in: USES THEREOF.

  X   the specification filed herewith  
           application serial no.            filed             
           patent no.            issued           

If the rights held by the above identified small business concern are not exclusive,  
each individual, concern or organization having rights to the invention is listed  
below<sup>a</sup> and no rights to the invention are held by any person, other than the  
inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.9(c)\*,  
any concern which could not qualify as a small business concern under 37  
C.F.R. §1.9(d)\* or as a nonprofit organization under 37 C.F.R. §1.9(e)\*.

Name: N/A  
Address:           

           Individual            Small Business Concern            Nonprofit Organization

<sup>a</sup>NOTE: Separate verified statements are required for each named person, concern, or  
organization having rights to the invention averring to their status as small  
entities. 37 C.F.R. §1.27.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Kathleen P. Mullinix  
Title In Organization: Chairman, President and Chief Executive Officer  
Address: 215 College Road  
Paramus, New Jersey 07652-1431 USA  
Signature: Kathleen P. Mullinix  
Date Of Signature: December 6, 2001